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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/398,182 09/17/99 ROZLOSNIK

A D-1118R2

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EXAMINER

NOWLIN, A

ART UNIT

PAPER NUMBER

2876

DATE MAILED:
08/13/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/398,182

Applicant(s)

ROZLOSNIK ET AL.

Examiner

April A. Nowlin

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 17 September 1999.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Receipt is acknowledged of the Amendment filed 18 May 2001.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-8, and 10-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caldwell (US 4,754,126) in view of McCall (US 6,112,981).

Caldwell discloses a night depository method and apparatus including the steps of conducting at least one transaction, fitting a panel (52) on an exterior surface of a deposit accepting machine, wherein a printer is housed in the panel (52) and issues a receipt including a record of the transaction. Conducting a transaction includes access to the depository (14) by inserting a card to a card reader and entering a personal identification number in the keyboard (36) which serves as an input device as recited in claims 10, 11, and 15 and by a conventional key lock (56). (See column 3, lines 59-64 and column 5, lines 46-51) A method further including the steps of inputting at least one amount on the keyboard (36) associated with the deposit, opening a depository door (22) and inserting the deposit into the machine. A receipt is delivered from a

dispensing slot (40) wherein the receipt includes the amount of the deposit and other data related to the transaction.

Caldwell fails to specifically teach or fairly suggest the use of a cover extending from a receipt dispensing slot, wherein the cover includes an aperture.

McCall shows a method including the steps of extending a receipt intermediate of an exterior wall of the machine and a cover, which serves as an overlying member as recited in claims 1-18, wherein the cover includes an aperture therein sized for accepting a finger of a user. (See figure 1) The cover is facing downward wherein a receipt is moved downward in a sandwiched relation between a finger extended in the aperture.

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ a well known night depository machine with a receipt delivery system with an aperture cover as taught by McCall to the teachings of Caldwell, due to the fact that one would be motivated to add a cover with an aperture to protect a receipt delivery system (i.e., to prevent the receipt from being damaged from outside environment, such as moisture; to minimize the infiltration of contaminants into the interior of the panel, such as dust/debris; to prevent pulling out excessive paper, etc.).

3. Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caldwell as modified by McCall as applied to claim 1 above, and further in view of Imai et al. (US 5,898,155).

Caldwell as modified by McCall in paragraph 2 above fails to teach a receipt printed on paper supplied from a roll, wherein the paper is cut with a cutter to separate the receipt from the roll.

Imai et al. teaches an automated teller machine including a receipt printed on paper supplied from a paper roll (41A) and a cutter (52) for separating a receipt from the paper roll (41A) (see fig. 4 and col. 10, lines 7-10). Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ a night depository machine with a receipt delivery system including a paper roll and cutter. One would be motivated to incorporate a paper roll for space saving and a cutter to prevent a user for manually separating the receipt from the roll and jamming the paper pathway. Therefore, such modification would have been an obvious extension as taught by Caldwell/McCall for providing a compact system rather than having stacks of medium within the dispensing system, and therefore an obvious expedient.

Response to Arguments

4. Applicant's arguments filed 18 May 2001 have been fully considered but they are not persuasive.

Re applicant's arguments on pages 9 and 10, the Examiner believes that the night depository having a receipt delivering system as shown by Caldwell and a receipt dispenser having a overlying member with an aperture as shown by McCall fall within the limitations of claim 1. Although McCall doesn't directly disclose that the overlying

member with an aperture shown in figure 1 is intended to be used for delivering a receipt, it is well known in the art that an overlying member with an aperture for a receipt dispenser exist. For example, fuel dispenser at gas station and automatic teller machines have a receipt dispenser including an overlying member with an aperture. The applicant claims "moving the receipt in a sandwiched relation between a finger extended in the aperture and the exterior wall to remove the receipt from between the exterior wall and the overlying member", however it is conventional that moving a receipt from a dispenser is done by extending a finger in the aperture and grasping the receipt between the thumb and index finger. Furthermore, the applicant argues that the receipt is printed prior to moving the receipt and "movement of the receipt in sandwiched relation is operative to cut the receipt". The examiner feels that it would be obvious to print the receipt prior to moving the receipt because if the receipt is move before the printing is complete, the receipt will not contain all of the transaction information. Furthermore, the examiner feels that it would be obvious that once the receipt is grasped in the manner recited above will cause the receipt to be cut by the cutter.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to April A. Nowlin whose telephone number is (703) 605-1219. The examiner can normally be reached on Monday - Friday from 7:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7382 for After Final communications.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [april.nowlin@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the


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Interim Internet Usage Policy published in the official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

AAN
August 10, 2001



MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800